

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER 94-041

AMENDMENT OF SITE CLEANUP REQUIREMENTS ORDER 93-162 FOR:

2005, 2017, 2025, 2065 BAY ROAD OPERABLE UNIT (BAW-OU)  
RAVENSWOOD INDUSTRIAL AREA,  
EAST PALO ALTO  
SAN MATEO COUNTY

PRIMARY DISCHARGERS:

- 1) Lauren Boscacci;
- 2) Lauren Boscacci, doing business as the companies named as dischargers in this Order;
- 3) Nancy Boscacci;
- 4) Nancy Boscacci, doing business as the companies named as dischargers in this Order;
- 5) Anthony Boscacci;
- 6) Anthony Boscacci, doing business as the companies named as dischargers in this Order;
- 7) United Auto Wreckers;
- 8) Bay Area Auto Dismantlers;
- 9) Bay Area Auto Wreckers;
- 10) Bay Area Auto Wrecking or Bay Area Auto Wrecking, Inc.;
- 11) Bay Area Auto Wrecking Company or Bay Area Auto Wrecking Company, Inc.;
- 12) Bay Area Towing or Bay Area Towing Company;
- 13) Bay Area Towing and Wrecking Company or Bay Area Towing and Wrecking Company, Inc.;
- 14) Bay Area Marine Salvage and Dismantling;
- 15) ABC Auto Wrecking;
- 16) ABC Imported Parts or ABC Imported Parts Bay Area Foreign

SECONDARY DISCHARGER:

Michael Demeter

The California Regional Water Quality Control Board, San Francisco Bay Region  
(hereinafter called the Board) finds that:

## BACKGROUND

1. On April 15, 1992, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Site Cleanup Requirements (SCR) Order 92-037 for several parcels in the Ravenswood Industrial Area. These parcels comprise about 70 percent of the total acreage. SCR Order 92-037 was later amended by SCR Order 92-086 to include all other properties located in the Ravenswood Industrial Area. The SCR Orders contain tasks required to evaluate if soil and or groundwater pollution has occurred by past or present Site use activities. The Orders named each of the individual property owners as dischargers because of their current ownership of the Site properties and required they comply with all requirements for their individual parcels. Michael Demeter (Demeter), the current owner of the BAW-OU property was named as a discharger and was required to submit a site and chemical use history and workplan for investigation. Demeter has submitted both of these reports as well as the May 1992 limited Phase I and Phase II Site Assessment prepared by Mittlehauser Corporation. Based on the findings in these reports, an amended SCR Order 93-162 was adopted by the Board naming the Boscaccis and their businesses as primary dischargers and set forth a task and time schedule for investigation and remediation of soil and groundwater pollution.

## RATIONALE FOR ORDER

2. Board staff have met with both the primary and secondary dischargers to develop a strategy for investigation and remediation of the BAW-OU in the most timely manner. Staff concur with the dischargers that the most effective strategy for remediation would be to first characterize the property, develop cleanup standards and then propose remedial measures.

## SCOPE OF ORDER

3. This Order shall amend the tasks and time schedule set forth in SCR Order 93-162. This Order shall set forth a revised task and time schedule to develop a workplan to investigate soil and groundwater pollution, implement this workplan, develop cleanup standards and, propose a final remedial action plan for soil and groundwater pollution. Except as superseded by adoption of this Order, Site Cleanup Requirements Order No. 93-162 shall remain in effect.

## BASIN PLAN

4. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986. The Basin Plan contains water quality objectives and beneficial uses for South San Francisco Bay and contiguous surface and groundwater.

5. The existing and potential beneficial uses of the groundwater underlying and in the vicinity of the site include:
  - a. Industrial process water supply
  - b. Industrial service water supply
  - c. Municipal and Domestic water supply
  - d. Agricultural water supply
6. The existing and potential beneficial uses of the surface waters (San Francisco Bay and San Francisco Creek) and wetland include:
  - a. Contact and non-contact water recreation
  - b. Warm and cold fresh water habitat
  - c. Fish migration and spawning
  - d. Commercial and sport fishing
  - f. Preservation of rare and endangered species
  - g. Estuarine habitat
  - h. Wildlife habitat
  - i. Salt marsh habitat
  - j. Navigation
  - k. Shellfish harvesting
  - l. Industrial service supply
7. The primary dischargers have caused or permitted, and threaten to cause or permit, waste to be discharged or deposited where it is or probably will be discharged to waters of the State and create or threaten to create a condition of pollution or nuisance as defined in Section 13050(m) of the California Water Code.

#### CEQA

8. This action is an order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.

#### NOTIFICATIONS

9. The Board has notified the dischargers and interested agencies and persons of its intent under California Water Code Section 13304 to prescribe Site Cleanup Requirements for the discharge and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.
10. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers, their agents, successors and assigns, shall cleanup and abate the effects described in the findings above and in Board Orders 92-037, 92-086 and 93-162 as follows:

AMENDMENTS Order 93-162 shall be amended as follows:

1. SPECIFICATION 2 is deleted and replaced as follows:

The cleanup standards for source-area soils shall be health-based and protective of human health and the environment. A human health risk assessment shall be the basis for establishing soil cleanup standards, and shall follow EPA guidance. The method of risk assessment need not be of Superfund magnitude, screening level guidance (i.e. EPA Preliminary Remediation Goals) or other qualitative or simple quantitative risk assessment approaches shall be acceptable. If levels higher than those set by health-based parameters for pollutants are proposed, the discharger must demonstrate that cleanup to lower levels is infeasible, that the alternate levels will not threaten the quality of waters of the State (surface and groundwater), and that human health and the environment are protected. If levels higher than those set by health-based parameters are proposed, physical and institutional controls shall be considered. If any pollutants are left in the soil, a program of continued groundwater monitoring may be required.

2. PROVISIONS C.1.a through C.1.f. are deleted and replaced with C.1.a through C.1.d. as follows:

PROVISION C.1.a.

TASK: WORKPLAN TO DEFINE LATERAL AND VERTICAL  
EXTENT OF SOIL AND GROUNDWATER POLLUTION

DUE DATE: no later than May 1, 1994

Description: The primary dischargers shall submit a technical report acceptable to the Executive Officer containing a workplan for investigation capable of defining the lateral and vertical extent of soil and groundwater pollution. The workplan shall include at a minimum: a Sampling and Analysis Plan (SAP), Quality Assurance Project Plan (QAPP), a Site Health and Safety Plan, and a time schedule for implementation. The time schedule shall specify a date of no later than June 1, 1994 for beginning field work on the property.

PROVISION C.1.b.

TASK: SUBMIT RESULTS OF INVESTIGATION (TASK C.1.a.),  
AND PROPOSE FINAL OBJECTIVES AND

**ACTIONS/REMEDIAL ACTION PLAN FOR SOIL AND  
GROUNDWATER POLLUTION**

**DUE DATE:** no later than September 1, 1994

Description: The primary dischargers shall submit a technical report acceptable to the Executive Officer containing the results of the soil and groundwater investigation. The report shall also propose final cleanup objectives and actions/remedial action plan (FCOA/RAP) for soil and groundwater pollution. The FCOA/RAP shall contain at a minimum: proposed soil cleanup levels for each of the pollutants, a rationale for selecting these levels and the feasibility of achieving them, as well as a schedule for implementation.

**PROVISION C.1.c.**

**TASK:** PROPOSE GROUNDWATER MONITORING PROGRAM

**DUE DATE:** no later than September 1, 1994

Description: The primary dischargers shall submit a technical report acceptable to the Executive Officer proposing a program of groundwater monitoring. The proposal shall include a schedule for groundwater monitoring and all reports shall contain at least the following:

- 1) Cumulative tabulated results of water quality sampling analyses for all wells and groundwater pollution plume maps based on these results.
- 2) A cumulative tabulation of all well construction details, water level measurements and updated piezometric maps based on these results.
- 3) Reference diagrams and maps including any updated geologic cross sections describing the hydrogeologic setting of the site, and appropriately scaled and detailed base maps showing the location of all monitoring wells and extraction wells, and identifying facilities and structures.


**PROVISION C.1.d.**

**TASK:** IMPLEMENTATION REPORT, FINAL REMEDIAL ACTION  
PLAN FOR SOIL AND GROUNDWATER POLLUTION

**DUE DATE:** no later than 90 days after completion of implementation of  
Provision C.1.b.

Description: The primary dischargers shall submit a technical report acceptable to the Executive Officer documenting the implementation of all remedial measures.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 16, 1994.

A handwritten signature in dark ink, appearing to read 'S. Ritchie', is written over a horizontal line.

Steven R. Ritchie  
Executive Officer